

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	U.S. Patent No. 6,940,016 (Application No. 10/635,126))	<i>Confirmation No. 2082</i>
)	
Issued:	September 6, 2005)	This Petition was electronically filed on February 22, 2010 using the USPTO's EFS-Web.
Filed:	August 6, 2003)	
Applicants:	Roger Dennis Cornett, et al.)	
Title:	ELECTRICAL ROUGH-IN BOX FOR LOW VOLTAGE TRANSFORMER)	
Art Unit:	2831)	
)	
)	
Attorney Docket:	8684/91061)	
Customer No.:	22242)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE
AN UNINTENTIONALLY ABANDONED PATENT**

Dear Sir:

Applicants filed a foreign application claiming priority from the above-identified application more than forty five (45) days ago without rescinding a nonpublication request. Applicants respectfully petition the Commissioner under 37 C.F.R. § 1.137(b) to revive the above-identified patent which was inadvertently and unintentionally abandoned for failure to rescind the nonpublication request.

A Rescission of Previous Nonpublication Request and Notice of Foreign Filing under 35 U.S.C. § 122(b)(2)(B)(ii), USPTO form SB/36 is filed herewith.

Applicants' prior counsel submitted a non-publication request in the Application Data

Sheet filed with the above-identified application on August 6, 2003. Applicants' prior counsel subsequently filed an application in Canada on August 6, 2004, claiming priority from the above-identified application. Applicants' prior counsel did not rescind the nonpublication request prior to or within forty five (45) days from the filing of the Canadian application. The U.S. patent issued on September 6, 2005.

On November 20, 2007, Applicants filed a Power of Attorney revoking all previous powers of attorney given in the application and appointed the practitioners associated with Customer Number 22242. Both Applicants and Applicants' newly appointed counsel were unaware of the nonpublication request.

Applicants represent that the entire delay in filing the revocation of the nonpublication request from the due date for the revocation, September 20, 2004 (45 days after the filing of the Canadian application), until the filing of this grantable petition under 37 C.F.R. § 1.137(b) was unintentional.


Applicants respectfully request that the instant petition be granted, that the nonpublication request on file for the above-identified application be revoked, and the above-identified patent be revived.

The petition fee under 37 C.F.R. § 1.17(m) in the amount of \$1,620.00 may be withdrawn from the undersigned's deposit account No. 06-1135. The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY

Date: February 22, 2010

By: _____


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